

BEFORE THE ARIZONA STATE  
VETERINARY MEDICAL EXAMINING BOARD

In the Matter of:

BOARD NO. 00-34

GREG HEITMAN, D.V.M.

## FINDINGS OF FACT

Veterinary Medical License:

### CONCLUSIONS OF LAW

No. 1534

AND ORDER

The Arizona State Veterinary Medical Examining Board

(hereinafter referred to as "Board") conducted an Informal Interview on January 17, 2001, after receiving a complaint indicating that Greg Heitman, D.V.M. (Dr. Heitman) may have violated A.R.S. §§ 32-2201, et seq.

Dr. Heitman was present and did participate in the informal interview pursuant to A.R.S. Sec. 32-2234. He was advised of his right to counsel by letter but was not represented by counsel. Mr. & Mrs. Schreck, the Complainants (Complainants) were notified by mail of the informal interview and were present. The Board also reviewed all documents submitted by the Complainants and Dr. Heitman including medical records pertaining to the Complainants' dog, 'Rambo'.

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2       The Board having considered all information and investigative  
3 materials concerning this matter, makes the following  
4

5                   **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER:**  
6

7                               **FINDINGS OF FACT**  
8

9           1) Greg Heitman D.V.M., holds Arizona veterinary medical  
10 license #1534, which permits him to practice veterinary medicine in  
11 the State of Arizona.  
12

13          2) On or about March 30, 2000, the Board received a complaint  
14 alleging that Dr. Heitman had failed to properly treat a 5 ½ year  
15 old male Labrador Retriever ('Rambo') after being hit by a car in  
16 front of Dr. Heitman's veterinary clinic.

17          3) 'Rambo' was not cared for sufficiently in that Dr. Heitman  
18 did not adequately diagnose the serious nature of 'Rambo's'  
19 condition; that care given to 'Rambo' was not accurately documented  
20 in the medical record; that Dr. Heitman failed to respond as in an  
21 emergency; and that 'Rambo' was not treated with compassion.  
22

1           4) Two women that saw 'Rambo' get hit by a car stopped to give  
2     aid and retrieve him from the street. Since the incident occurred  
3     in front of Dr. Heitman's veterinary clinic, 'Rambo' was  
4     transported inside, found to be a patient of Dr. Heitman, and the  
5     owners were notified.

6           5) Prior to the owners arriving, 'Rambo' received a preliminary  
7     examination by a technician that worked for Dr. Heitman. 'Rambo'  
8     was placed in an examining room under observation until the owners  
9     arrived. Dr. Heitman did not initiate any shock therapy while  
10    waiting for the owners to arrive, nor after they arrived.

11          6) Not until Renee Schreck's husband arrived, approximately 30  
12    minutes later, did Dr. Heitman examine 'Rambo'. Dr. Heitman stated  
13    that 'Rambo' had muffled heart sounds and a degree of respiratory  
14    dyspnea. It appeared as though 'Rambo' could walk without  
15    noticeable difficulty, and his mucous membranes were pink and his  
16    abdomen palpated within normal limits. Proper documentation of  
17    'Rambo's' examination was not written in the medical records.

18          7) Chest X-rays were taken which showed a pneumothorax.  
19    Subsequently, 25cc of air was aspirated from the chest and  
20    'Rambo's' breathing improved. After x-rays, 'Rambo' was kept under  
21    observation and a further thoracocentesis yielded no further air  
22    from the chest cavity. 'Rambo's' respiratory rate was still above

1 normal, and no further x-rays were taken to determine if the  
2 apparent pneumothorax had cleared before 'Rambo' was sent home for  
3 observation.

4 8) Since the clinic did not provide 24 hour coverage, it was  
5 suggested that 'Rambo' be taken home for observation. According to  
6 Dr. Heitman, the availability and location of the Emergency Animal  
7 Clinic was discussed with the owner. Taking 'Rambo' directly to the  
8 Emergency Animal Clinic was apparently not suggested.

9 9) Approximately just before 6:00 p.m., the owners called to  
10 report that 'Rambo' had drunk a small amount of water and was  
11 breathing heavier and foaming from the mouth. It was suggested to  
12 limit the water intake and keep 'Rambo' quiet. Dr. Heitman did not  
13 suggest bringing 'Rambo' back to the clinic nor take 'Rambo' to the  
14 Emergency Animal Clinic. Shortly after 6:00 p.m. the owners called  
15 to report that 'Rambo' had died.

16  
17 10) The owners brought 'Rambo' back to Dr. Heitman's clinic  
18 where he was pronounced dead. A necropsy was not performed to  
19 determine the cause of death.

1  
2 **CONCLUSIONS OF LAW**  
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4 1) Dr. Heitman is holder of license number 1534 and is,  
5 therefore, authorized to practice veterinary medicine in the State  
6 of Arizona.

7 2) The Arizona State Veterinary Medical Examining Board has  
8 jurisdiction in this matter pursuant to A.R.S. §32-2201, et seq.

9 3) The actions of Dr. Heitman as described in paragraphs  
10 3,5,7,8,9 and 10 of the Findings of Fact constitute a violation of  
11 A.R.S. §32-2232(11) and A.R.S. §32-2232(12) as it relates to A.A.C.  
12 R3-11-501(5) and (8).

13 4) The actions of Dr. Heitman as described in paragraph 6 of  
14 the Findings of Fact constitute a violation of unprofessional and  
15 dishonorable conduct as referred to in A.R.S. §32-2232(21) as it  
16 relates to A.C.C. R3-11-503(B) (4).  
17

18 **ORDER**  
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20 1) **IT IS ORDERED THAT,** Dr. Heitman's veterinary license,  
21 number 1534 be placed on probation for one year beginning with the  
22 effective date of this Order.

1        2)    IT IS FURTHER ORDERED THAT, in addition to statutory  
2 requirements, Dr. Heitman obtain an additional ten (10) hours of  
3 continuing education in emergency procedures which include shock  
4 therapy.

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6        3)    IT IS FURTHER ORDERED THAT, a written summary be  
7 submitted to the Board of the classes taken to meet the additional  
8 ten (10) hours of continuing education within thirty (30) days of  
9 completion of these classes.

10       4)    IT IS FURTHER ORDERED THAT, Dr. Heitman shall submit  
11 within sixty (60) days of the date of this Order a written plan,  
12 including course, titles, detailing how he will obtain the  
13 continuing education to the Board for pre-approval of the ten (10)  
14 hours of continuing education relating to emergency procedures.

15       5)    IT IS FURTHER ORDERED THAT, Dr. Heitman shall obtain an  
16 additional four (4) hours of continuing education in medical record  
17 keeping by visiting and observing the Emergency Animal Hospital's  
18 (Phoenix) medical record keeping system and submit to the Board for  
19 its review and approval documentation of such attendance.

20       6)    IT IS FURTHER ORDERED THAT, Dr. Heitman shall obtain an  
21 additional four (4) hours of continuing education by reading Law  
22 and Ethics of the Veterinary Profession, Chapter 14, 'Medical

Record Keeping,' by James F. Wilson, D.V.M., J.D. and provide to the Board for its review and approval, a summary of the salient features of Chapter 14.

7) IT IS FURTHER ORDERED THAT, Dr. Heitman shall obtain an additional two (2) hours of continuing education by reading Law and Ethics of the Veterinary Profession, Chapter 2, 'Veterinary and Animal Ethics' by James F. Wilson, D.V.M., J.D. and provide to the Board for its review and approval, a summary of the salient features of Chapter 2.

8) IT IS FURTHER ORDERED THAT, the additional twenty (20) hours of continuing education ordered in paragraphs 2, 5, 6 and 7 above shall be obtained and completed prior to the expiration of the term of probation as set forth in paragraph 1 above.

9) This Order is conclusive evidence of the matters described herein and may be considered by the Board in determining an appropriate sanction in the event a subsequent violation occurs.

10) In the event Dr. Heitman violates any terms of this Order the Board may modify the terms, and may also, after opportunity for Informal Interview or Formal Hearing, take any other appropriate disciplinary action authorized by law, including suspension or revocation of Dr. Heitman's license.

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2 11) A party has the right to petition for rehearing or review  
3 of the Order. Pursuant to A.R.S. § 32-2234(F) and A.R.S. § 41-  
4 1092.09, as amended, the petition must be filed with the Board's  
5 Executive Director within thirty (30) days after personal service  
6 of this Order or within thirty-five (35) days from the date of  
7 mailing if the Order was served by certified mail. Pursuant to  
8 A.A.C. R3-11-904(C), the petition must set forth legally sufficient  
9 reasons for granting the rehearing or review. The filing of a  
10 petition for rehearing or review is required to preserve any rights  
11 of appeal to the superior court that the party may wish to pursue.  
12

13 This Order shall be effective and in force upon the expiration  
14 of the aforementioned time period for filing a motion for rehearing  
15 or review with the Board. However, the timely filing of a motion  
16 for rehearing or review shall stay the enforcement of the Board's  
17 Order unless, pursuant to A.A.C. R3-11-904(F), the Board has  
18 expressly found good cause to believe that the Order shall be  
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20  
21  
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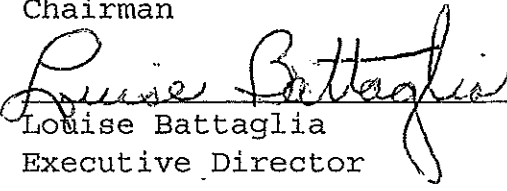
1 effective immediately upon issuance and has so stated in this  
2 Order.

3 Dated this 5<sup>th</sup> day of March, 2001

4 FOR THE BOARD:

5 ARIZONA STATE VETERINARY  
6 MEDICAL EXAMINING BOARD

7  
8 ROBERT L. KRITSBERG, DVM  
9 Chairman

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11   
12 Louise Battaglia  
13 Executive Director  
14  
15  
16  
17  
18  
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20 MEMBERS CONCURRING:

21 Robert Kritsberg, D.V.M.  
22 Chairman  
23 Lisa Gervase  
24 Board Secretary  
25 Barbara Jackson  
26 Niles Jennett, D.V.M.  
27 Jenna Jones  
28 James Lewis  
29 Dean A. Rice, D.V.M.  
30 Lawrence Shamis, D.V.M.

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32 MEMBER ABSENT:

33 Donald C. Levesque, D.V.M.  
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A copy of the foregoing Findings of Fact,  
Conclusions of Law and Order sent by  
certified mail, No. 7099 3400 0014 6993 7951  
this 5<sup>th</sup> day of March, 2001 to:

Greg Heitman, D.V.M.

Marc Harris, Assistant Attorney General  
Arizona Attorney General's Office  
Department of Law  
Civil Division, LES  
1275 West Washington  
Phoenix, AZ 85007